

HONORABLE CHIEF JUDGE

ROBERTO A. LANGE

CLERKS OFFICE, U.S. DISTRICT COURT
ANDREW W. BOGUE FEDERAL BUILDING
AND UNITED STATES COURTHOUSE

515 NINTH STREET, ROOM 302

RAPID CITY, SOUTH DAKOTA 57701

SEPT. 20, 2020

DEAR HONORABLE CHIEF JUDGE ROBERTO A. LANGE

IN RESPONSE TO YOUR LETTER DENYING MY RECONSIDER MOTION, FOR COMPASSIONATE RELEASE /
REDUCTION OF SENTENCE. AS YOU ALREADY KNOW, I SENT DOCUMENTATION OF DIAGNOSED WITH CHRONIC
OBSTRUCTIVE PULMONARY DISEASE (C.O.P.D.) AND NOW, AT LAST STAGE 5 OF CHRONIC KIDNEY DISEASE.
ALL MY UNDERLYING MEDICAL HEALTH CONDITIONS ARE SERIOUS, SO IS THE CORONA VIRUS (COVID 19) WE
NOW HAVE MORE INMATES AND STAFF INFECTED IN THIS FACILITY, IM IN A UNIT, WHERE ALL PATIENTS NEED A
NURSE PRESENT 24 HOURS CARE. WE ARE STILL ON LOCKDOWN QUARANTINE, DUE TO MORE CASES OF THE
CORONA VIRUS, OVERCROWDING IS STILL A FACTOR, NO SOCIAL DISTANCING IS PRACTICE, JUST UNLESS THE
BOP CENTRAL OFFICE PERSONEL, COMES THROUGH TO CHECK IF THE FACILITY IS FOLLOWING PROCEDURE. I WAS IN A
DORM UNIT WITH JUST A COUPLE OTHERS IN THERE, WITH NO TV, BUT NOW MOVED NEXT DORM UNIT OVER, WHERE
ITS MORE CROWDED, BUT IT HAS A TV. IM MORE WORRIED NOW OF CATCHING THIS CORONA VIRUS, MY P.A.
SAYS, HE CAN WRITE ME A SUPPORT LETTER, TO LET YOU KNOW, HOW SERIOUS IT IS, IF SOMEONE IN MY CONDI-
TION CATCHES THIS VIRUS. WE ARE SUPPLIED WITH MASKS, I WEAR MINE EVERY WHERE. I FEEL LIKE
IM GOING CRAZY, BECAUSE THERES NOTHING TO DO ON THIS UNIT. THERE IS NO TYPE OF PROGRAMING
GOING ON, THE BOP PAYS FOR 500 MINUTES OF PHONE TIME, SO I AT LEAST GET TO CALL MY KIDS AND
MY MOTHER. MY SISTER IN RAPID CITY SD WRITES ME. MY MOTHER IS 73 AND JUST HAD A SCARE OF
HAVING BREATHING PROBLEMS AND STARTED CRYING ON THE PHONE TO ME, ABOUT DYING AND WORRIED FOR
US, IT REALLY MADE ME FEEL BAD. I STILL PRAY, THAT I MAKE IT OUT TO BE WITH MY MOTHER AND FAMILY. IM SO
TIRED AFTER DIALYSIS, SOMETIMES FEEL LIKE IM GOING TO DIE, BECAUSE DIALYSIS STAFF PULL TOO MUCH
FLUID OFF THAT MIGHT KILL US, IF OUR BLOOD PRESSURE GOES TO LOW, I ALREADY BEEN TOLD, THAT I COULD
OF DIED BEFORE, BECAUSE MY BLOOD PRESSURE FELL TO 73/42, BUT WAS CONSIDERED LUCKY I REPORTED
NOT FEELING WELL ON TIME. I CONSIDER MYSELF LUCKY, THAT IM STILL ALIVE, NOBODY CARES IF YOU
DIE OR NOT HERE, ITS THE SURVIVAL OF THE FITTEST IT SEEMS. I DONT EVEN KNOW WHY THEY HAVE COUNSELORS
AND CASEWORKERS, THEY DONT EVEN TRY TO HELP ANYONE, BUT TO KEEP US HERE. I HEARD MY COUNSELOR SAY
THAT I DONT KNOW WHY THEY PUT US THROUGH ADMINISTRATIVE REMEDIES BECAUSE THE PRISON OR BOP
HAS NO AUTHORITY TO REDUCE ANYONES TIME, BUT THE JUDGE AND CONGRESS. THERES NO LIMIT
ON PUTTING IN A COMPASSIONATE RELEASE SO ILL BE FILING AGAIN, I CANT GIVE UP HOPE.

AS FAR AS BEING A DANGER TO THE COMMUNITY OR OTHERS, I DON'T THINK SO, MY HEALTH CARE PROVIDER LAUGHED, THAT I CAN BARELY GET AROUND. I UNDERSTAND THE GOVERNMENT HAS NEGATIVE THINGS TO SAY ABOUT ME, AND MY PAST, BUT ACCORDING TO MY BELIEFS, I DESERVE A SECOND CHANCE, SICK OR NOT, AND BEING A RECOVERING ADDICT, I LEARNED THAT IT'S OK TO START YOUR LIFE OVER, AND DO WHATEVER IT TAKES TO MAINTAIN SOBRIETY.

MY RELEASE PLAN WAS NOT TO RETURN TO THE COMMUNITY I WAS INDICTED FROM, BUT TO START FRESH ELSEWHERE, AND BE SUCCESSFUL TO STAY OUT OF TROUBLE AND KEEP SOBRIETY.

I REALIZE I HAVE A PAST AND FEEL FAR FROM IT, BECAUSE I PAID FOR MY VIOLATIONS AND TIME, WAY BACK THEN, I'M BORN AGAIN, AND CAN ONLY LOOK TO MY FUTURE AND MAKE AMENDS TO MY PAST. I REALIZE THE SERIOUSNESS OF MY CRIME, AND JUST WANT TO MOVE ON. JUST PRAY TO BE FORGIVEN OF MY WRONG DOINGS.

I WATCH THE NEWS EVERYDAY, AND SEE THE FEDERAL GOVERNMENT GETTING MORE AND MORE CORRUPT TO RACIAL INJUSTICES, IT JUST GOES TO SHOW NOBODY'S PERFECT. IT SEEMS LIKE THE GOVERNMENT IS INTO A LOT OF THINGS, THAT AIN'T RIGHT. AGAIN, I FIT THE CRITERIA OF THE CDC REQUIREMENTS, TO BE AT HIGH RISK OF CONTRACTING THE CORONA VIRUS, I'M ALSO ELIGIBLE UNDER THE FIRST STEP ACT REVISED IN JULY 2020 AND THE CARES ACT TOO, REGARDLESS WHAT THE U.S. ATTORNEY'S HAVE TO SAY, GOOD OR BAD ABOUT ME. I HAVE "EXTRAORDINARY AND COMPELLING" REASONS FOR MY CHRONIC MEDICAL CONDITIONS. MY CARE, FOR MYSELF IS DIMINISHING FAST, MY NEUROPATHY HAS MY FINGERS + FEET NUMB OR NO FEELING AND CAN'T EVEN BUTTON MY SHIRT OR PANTS, MY BALANCE IS BAD STANDING, TO SHOWER OR BATH MYSELF, IS A CHORE. MY ABILITY TO STAND VERY LONG, IS SHORT BECAUSE OF MY CHRONIC BACK PAIN. THINGS ARE GETTING WORST AND NOT LOOKING GOOD TO RECOVER. I PLEDGE TO NEVER GO BACK TO DRUGS OR ALCOHOL, BECAUSE IT WOULD ONLY DETRIEATE MY HEALTH FASTER, LIKE AMPUTATIONS, OR SUDDEN DEATH. I REALLY DON'T LIKE TO ASK FOR HELP BECAUSE I WAS RAISED THAT WAY BUT LATELY I HAVE. I HAD A COUPLE FALLS, NOT TOO LONG AGO, I INJURED MY LEFT KNEE, IT BARELY HEALED. I'M SENDING A COP OUT I RECEIVE OVER A WEEK AGO, REGARDING APPEALS TO THE COMPASSIONATE RELEASE ROS I FILED, THE WARDEN SAYS THE APPEAL I SENT TO THE BOR NEVER RESPONDED, OR THAT I PAST THE LIMITATION TO APPEAL. A LOT OF TALK OF WE SHOULD GET SOME TYPE OF CREDIT FOR JUST SITTING HERE, WAITING FOR THE FACILITIES PROGRAMS TO START BACK UP. I WAS DOING GOOD GOING TO AA + NA CLASSES, FINISHING A RDART CLASS, ATTENDING CHURCH + SWEAT LODGE CEREMONIES AS MUCH AS I CAN.

I WAS IN A KNOW YOUR RIGHTS CLASS, IN THE LAW LIBRARY BEFORE WE WERE PUT ON A QUARANTINE LOCK DOWN IN MARCH 2020. I SENT YOU ALL MY CERTIFICATES I'VE RECEIVED. MY EVENING PRAYER GROUP IS STILL GOING ON, AFTER EVENING COUNT. I HOPE THIS LETTER FINDS YOU IN GOOD STANDINGS, GOD BLESS YOU.

Respectfully,

Waylon Young Bird

WAYLON M. YOUNG BIRD

MCFP PO BOX 4000

SPRINGFIELD, MISSOURI

65801

SEP 98

U.S. DEPARTMENT OF JUSTICE
PRISONS

FEDERAL BUREAU OF

EAU OF

TO: <u>WARDEN</u>	DATE: <u>AUG 17 2020</u>
FROM: <u>WAYLON JUNK BIRD</u>	REGISTER NO.: <u>04082-073</u>
WORK ASSIGNMENT: <u>NA</u>	UNIT: <u>1B-3</u>

SUBJECT: (Briefly state your question or concern and the solution you are requesting. Continue on back, if necessary. Your failure to be specific may result in no action being taken. If necessary, you will be interviewed in order to successfully respond to your request.)

I AM REQUESTING TO RENEW my Compassionate Release, I filed before, but was denied twice by WARDEN ON 11/19/19 AND ON 5/23/20 AND appealed to BOP but it's been almost 2 months, and haven't heard from anyone. I'm very worried about catching the Corona virus, I'm a very High Risk patient, with the CDC's underlying health conditions that make me eligible. I was denied before from my struggle, because at the time there was no cases of corona virus and I didn't exhaust my administrative remedies. My P.A. says I'm eligible and doctors nurses too. I'm a care level 4, low level inmate, and non-violent crime. Bill Barr the attorney general, would say I qualify.

(Do not write below this line)

DISPOSITION:

THE Computer indicates you appealed your 1st Reduction in Sentence (only a BP-9) But never appealed your 2nd denial dated 5/19/2020. You have 20 days to appeal that denial. You must file in Court, since you have past your time to appeal with the Bureau of PRISONS.

Signature Staff Member

Date

8-28-2020

Record Copy - File Copy - Inmate
(This form may be replicated via WP)This form replaces BP-148.070 dated Oct 86
and BP-S148.070 APR 94

WAYLON M. YOUNG BIRD
04082-073

Medical Center for Federal Prisoners
P.O. Box 4000
Springfield, Missouri 65801-4000

SPRINGFIELD MO 658

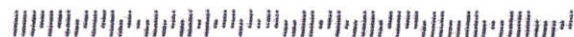
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CSO
SOUTH DAKOTA
X-RAYED BY

To HONORABLE Chief Judge Roberto A. Lange
CLERKS OFFICE, US District Court
ANDREW W. BOGUE FEDERAL BUILDING
AND UNITED STATES COURT HOUSE
515 NINTH STREET, ROOM 362
RAPID CITY, SOUTH DAKOTA 57701

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Local
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LEGAL
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